

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

NASSIF et al

Attention: Application Branch

Atty. Dkt. 1721-34

Serial No. 09/928,457

Filed: August 14, 2001

Date: March 26, 2002

For: DNA AND PROTEINS OR PEPTIDES SPECIFIC OF THE NEISSERIA  
MENINGITIDIS SPECIES BACTERIA, METHOD FOR OBTAINING THEM AND  
THEIR BIOLOGICAL APPLICATIONS

Assistant Commissioner for Patents  
Washington, D.C. 20231

The attached completes filing of the above-identified patent application:

- ☐ Signed Rule 63 Declaration alone, ☐ Copy of Declaration from prior application alone, OR  
☐ Signed Declaration plus attached copy of originally filed specification/drawings.  
☒ **NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED** form.  
☐ Record the attached assignment and return to the undersigned.  
☐ Attached is a Power of Attorney.  
☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:
- | Application Number | Country | Day/Month/Year Filed |
|--------------------|---------|----------------------|
| 96 08768           | France  | 12 07 1996           |
| PCT/FR97/01295     |         | 11 07 1997           |

respectively.

- ☐ Certified copy(ies) of foreign application(s) is/are attached.  
☒ Certified copy(ies) filed on **April 22, 1999** in prior application no. **09/214,759**, filed **January 12, 1999**.  
☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.  
☒ Please enter the attached and/or below preliminary amendment **prior** to calculation of filing fee.  
☒ Also attached: ☐ Information Disclosure Statement; ☐ Nucleotide and/or Amino Acid  
☒ Sequence Submission; ☒ Other: Abstract; Copy of Notice to File Missing Parts

**Fees due are calculated below:**

Basic filing fee					\$	740.00
Total Effective claims	32	- 20 =	12	x \$	18.00	\$ 216.00
Independent claims	1	- 3 =	0	x \$	84.00	\$ 0.00
If any proper multiple dependent claims now added for first time, add \$280.00 (ignore improper)						\$ 0.00
<b>FILING FEE</b>						\$ 956.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months; \$1440.00/4 months)						\$ 920.00
Surcharge (\$130.00) if Declaration or filing fee first now submitted						\$ 130.00
English translation of specification and claims (\$130.00)						\$ 0.00
<b>FIRST SUBTOTAL</b>						\$ 2,006.00
If "small entity," enter half (1/2) of subtotal and subtract						-\$ 0.00
<b>SECOND SUBTOTAL</b>						\$ 2,006.00
Assignment Recording Fee (\$40.00)						\$ 0.00
<b>TOTAL FEE DUE</b>						\$ 2,006.00
Check enclosed (Pre-Bill)*						\$ 1056.00
Check enclosed (non Pre-Bill)*						\$ 950.00
<b>TOTAL FEE ENCLOSED</b>						\$ 2006.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
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NIXON &amp; VANDERHYE P.C.

By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: 

\*For N&amp;V internal accounting purposes



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/928,457	08/14/2001	Xavier Nassif	1721-34

CONFIRMATION NO. 8267

FORMALITIES LETTER



NIXON & VANDERHYE P.C.  
8th Floor  
1100 North Glebe Road  
Arlington, VA 22201-4714

Date Mailed: 10/26/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

03/28/2002 BABRAHA1 00000052 09928457

FILED UNDER 37 CFR 1.53(b)

01 FC:101 740.00 OP  
02 FC:105 130.00 OP  
03 FC:103 216.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$216.
  - \$216 for 12 total claims over 20.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1056.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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